

**FILED**

August 17 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

## IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA 10-0211

IN RE THE MARRIAGE OF

DIETER SCHOLZ,

Respondent and Appellant.

**FILED**

AUG 17 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

v.

JILL LUNDSTROM,

Petitioner and Appellee,

---

APPELLEE'S UNOPPOSED MOTION FOR 30 DAY EXTENSION OF TIME

---

On appeal from the Montana Twentieth Judicial District Court  
Sanders County, Cause No. Dr-06-25  
Before Hon. C.B. McNeil

Comes Now Respondent, Jill Lundstrom, the above named Appellee and hereby moves  
the Court for a Grant of Extension of Time allowing her an additional 30 days, or until  
September 24, 2010, in which to file her Appellee's Brief and in support states:

1. Appellant's Notice of Transcripts Deemed Necessary for Appeal indicates the need for  
transcripts of the Trial Proceedings and Pre-Trial Proceedings, consisting of the sanctions  
hearing, held in January, 2010.

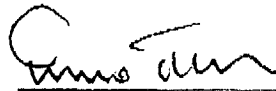
Counsel for the Appellee received the transcript from the trial but recently discovered  
that he did not receive the transcript from the Pre-Trial Hearing dated January, 2010. The

undersigned has placed a call to Marshall and Marshall, the Court reporter preparing the transcript. Appellee's Brief is due August 25, 2010, thus counsel will not have sufficient time to review the transcript to aptly apply to the Appellant's Brief. Therefore an enlargement of time is necessary.

3. The appeal does not involve proceedings regarding abused or neglected children
2. This is Appellee's first request for extension of time.
3. In compliance with MONT. R. App.P. 16(1) Opposing Counsel, Quentin Rhoades, Sullivan, Tabaracci & Rhodes, P.C., has been contacted and he has indicated that he **does not object** to the motion.

Dated this 17th day of August, 2010.

By:



Timothy G. Goen  
Attorney for Appellee

#### CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of August, 2010, I files a true and accurate copy of the foregoing Motion for Enlargement of Time with the Clerk of the Montana Supreme Court; and that I have served a true and accurate copy of the foregoing upon each attorney of record and each party not represented by an attorney in the above referenced action as follows:

Quentin M. Rhodes  
Robert D. Erickson  
Sullivan, Tabaracci & Rhodes  
1821 South Avenue West, 3rd Flr  
Missoula, MT 59801